

### REMARKS

Applicants have amended claim 1 to insert the phrase "in a fluidized state," and added new claims 10-16. Support for the amendment to claim 1 can be found in the specification, e.g., page 5, line 25 through page 6, line 3. Support for new claims 10-16 also appears in the specification, e.g., page 11, line 14 (claim 10), page 11, lines 30-32 (claims 11-12), page 15, lines 18-22 (claims 13-14), and page 7, line 15 (claims 15-16). No new matter has been introduced.

Claims 1-16 are currently pending. Among them, claims 1-6 and 9 were rejected by the Examiner under 35 U.S.C. § 102(b), as being anticipated by U.S. Patent No. 5,506,335 to Uhr et al. ("Uhr"). See the Office Action, page 2, 5<sup>th</sup> paragraph. Claims 7-8, which depend from claim 1 and cover allowable subject matter, were objected to as being dependent upon a rejected base claim. See the Office Action, page 2, last paragraph. Applicants respectfully traverse as follows:

Claim 1, the only independent claim, will be discussed first. Claim 1, as amended, covers a process of producing a polysuccinimide (co)polymer derivative. The process includes reacting a polysuccinimide (co)polymer raw material **in a fluidized state** with a Lewis base by heating in the presence of a solvent having a low boiling point and high relative permittivity. Being "fluidized," the polysuccinimide co(polymer) raw material is "partially molten" or "partially dissolved" in the solvent. See the specification, page 5, lines 30-31; and page 10, line 31 through page 11, line 3. As a result, a polysuccinimide co(polymer) derivative can be produced in a more facile and efficient manner. See, e.g., page 4, line 21 through page 5, line 1; page 6, lines 3-8; and page 26, line 20 through page 27, line 32.

Uhr, on the other hand, discloses a process for preparing a polymer by reacting polysuccinimide with an amine. It does not teach heating the polysuccinimide to convert it to a fluidized state. Indeed, Uhr specifically teaches completely dissolving polysuccinimide in a solvent such as DMF. See, e.g., Example III-1, column 9, line 21.<sup>1</sup> Given the difference in the

<sup>1</sup> Example III-1 indicates that the polysuccinimide is dissolved in DMF. Although it does not expressly indicate that the polysuccinimide is "completely" dissolved, a skilled person in the art would understand that from the context "dissolved" meant "completely dissolved."

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state in which polysuccinimide is (i.e., fully dissolved vs. partially dissolved or partially molten), claim 1 is clearly not anticipated by Uhr.

Claims 2-6 and 9, as well as new claims 10-16, depend from claim 1. For the same reason, they are also not anticipated by Uhr.

Since the rejection of claim 1 has been overcome, Applicants submit that the objection to claims 7-8, which depend from claim 1, should be removed.

### CONCLUSION

In view of the remarks above, Applicants submit that claim 1, as amended, and claims 2-16 are now in condition for allowance, an action of which is requested.

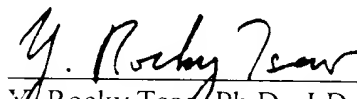
Attached is a marked-up version of the changes being made by the current amendment.

No fee is believed to be due for the new claims. Please apply any charges, if necessary, to Deposit Account No. 06-1050, referencing attorney's docket number 08917-067001.

Respectfully submitted,

Date: \_\_\_\_\_

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**Version with markings to show changes made**

In the claims:

Claim 1 has been amended as follows:

1. A process for producing a polysuccinimide (co)polymer derivative [which comprises],  
comprising reacting a polysuccinimide (co)polymer in a fluidized state with a Lewis base by  
heating in the presence of a solvent having a low boiling point and high relative permittivity.